

01/14/04 13:34
01/07/2004 17:49 FAX 8703 308 6879
858 720 5125

USPTO PK3 902
MOFO-SD

1600
001
002/013

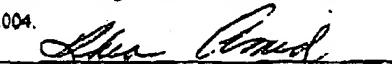
JCWSCS 04 MAR 2004

FILE COPY

PATENT
Docket No. 524022000100

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to MS Office of Initial Patent Examination, the United States Patent and Trademark Office on January 7, 2004.


Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Dexu ZHU et al

Serial No.: 09/975,136

Filing Date: October 10, 2001

For: METHODS AND COMPOSITIONS FOR
TREATING OR PREVENTING
BACTERIAL INFECTION

Examiner: Paul Zucker

Group Art Unit: 1621

RECEIVED

MAR 23 2004

TECH CENTER 1600/2900

REQUEST FOR CORRECTED FILING RECEIPT

MS: Office of Initial Patent Examination
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please furnish the undersigned with a corrected Filing Receipt for the above-identified application. The corrections needed are as follows:

UNDER ASSIGNOR:

Please change the assignor "MURAMATSU, MITSUMI" to

--MURAMATSU, MUTSUMI--

and change the assignor "NI, Cheng" to

--CHENG, Ni--

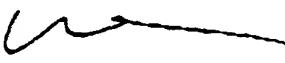
Attached is a Revised Declaration/Power of Attorney which is to correct the 2nd and 4th Assignors' names and the name and address of the 2nd Assignor.

Also attached is a redmarked copy of the Filing Receipt. indicating same.

In the unlikely event that the transmittal letter is separated from this request and the Patent Office determines that a fee is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952, ref. Docket No. 524022000100. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: January 7, 2004

By: 

Peng Chen
Registration No. 43,543

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5117
Facsimile: (858) 720-5125

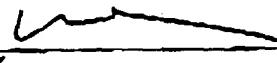
Please type a plus sign inside this box → PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB D651-0091
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

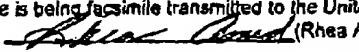
TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>		Application Number	09/975,136
		Filing Date	October 10, 2001
		First Named Inventor	Dexu ZHU
		Group Art Unit	1621
		Examiner Name	P. Zucker
Total Number of Pages in This Submission	12	Attorney Docket Number	524022000100

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) <small>(please identify below)</small>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Request for Corrected Filing Receipt; Redmarked Copy of FR; Revised Declaration; Revised Application Data Sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

CUSTOMER NO. 25225**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	MORRISON & FOERSTER LLP Peng Chen - 43,543
Signature	
Date	January 7, 2004

CERTIFICATE OF FACSIMILE TRANSMISSIONI hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on
1-7-2004 
(Rhea Amid)

Page 1 of 2
RECEIVED



UNITED STATES PATENT AND TRADEMARK OFFICE

MORRISON & FOERSTER
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/975,136	10/10/2001	1614	435	524022000100	3	20	1

CONFIRMATION NO. 8877

UPDATED FILING RECEIPT

'OC000000007614320'

Peng Chen
Morrison & Foerster LLP
Suite 500
3511 Valley Centre Drive
San Diego, CA 92130-5117

Date Mailed: 03/11/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

MITSUMI Dexu Zhu, Nanjing, CHINA;
Mitsumi Muramatsu, Tokushima-shi, JAPAN;
Ni CHENG Jianshu Xie, Shanghai, CHINA;
Cheng Ni Zhengjiang, CHINA;
Ming-Wel Wang, San Diego, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

CHINA 01142289.0 09/26/2001

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

'' SMALL ENTITY ''

Title

Methods and compositions for treating or preventing bacterial infection

NBZ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS AND COMPOSITIONS FOR TREATING OR PREVENTING BACTERIAL INFECTION

the specification of which was filed on October 10, 2001 as Application No. 09/975,136.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

no foreign applications have been filed
 foreign application have been filed as follows:

Attorney Docket No.: 524022000100

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			Yes No
			Yes No
			Yes No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing
01142289.0	CN	September 26, 2001

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

no U.S. provisional applications have been filed.

U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		Yes No
		Yes No
		Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all

Attorney Docket No.: 524022000100

information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

no U.S./PCT applications have been filed.

U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 25225

all of Morrison & Foerster LLP, 3811 Valley Centre Drive, Suite 500, San Diego, California 92130, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Peng Chen, whose address is:

Morrison & Foerster LLP
3811 Valley Centre Drive, Suite 500
San Diego, California 92130

Please direct telephone calls to Peng Chen at (858) 720-5117.

Please direct facsimiles to: (858) 720-5125

Attorney DocID: N: 52402200010C

Full name of sole or first inventor	Date
Dexu ZHU	
First Inventor's signature	
<i>Dexu Zhu</i>	Nov. 10, 2003
Residence	
Nanjing, China	
Citizenship	
China	
Mailing Address	
25 Nan Xiu Cun Apt. #503 Nanjing, Jiangsu Province 210008 PRC	

Full name of second inventor, if any	Date
Mitsumi MURAMATSU	
Second Inventor's signature	
<i>Mitsumi Muramatsu</i>	Nov. 10, 2003
Residence	
Tokushima-Shi, Japan	
Citizenship	
Japan	
Mailing Address	
Kisyama-Che Iwasaki 6-3 Tokushima-Shi 770-8032 JAPAN	

Full name of third inventor, if any	Date
Jianshu XIE	
Third Inventor's signature	
<i></i>	
Residence	
Shanghai, 200434, PRC	
Citizenship	
China	
Mailing Address	
Apt. 501B, Lane 399 Randa Road Shanghai 200434 PRC	

Full name of fourth inventor, if any	Date
NI CHENG	
Fourth Inventor's signature	
<i>NI Cheng</i>	Nov. 10, 2003
Residence	
Zhengjiang, China	
Citizenship	
China	
Mailing Address	
4-501, Jingzhe Rd. Zhengjiang Jiangsu Province 212001 PRC	

Attorney Docket No.: 524022000100

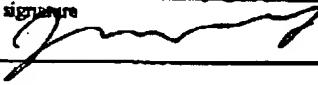
Full name of sole or first inventor Dexu ZHU	
Sole or first inventor's signature 	Date Nov. 10, 2003
Residence Nanjing, China	
Citizenship China	
Mailing Address 25 Nan Xiu Cun, Apt #503 Nanjing, Jiangsu Province 210008 PRC	

Full name of second inventor, if any Mutsumi MURAMATSU	
Second inventor's signature	Date
Residence Tokushima-Shi, Japan	
Citizenship Japan	
Mailing Address Kitayama-Cho Iwasaki 6-2 Tokushima-Shi 770-8032 JAPAN	

Full name of third inventor, if any Jianshu XIE	
Third inventor's signature 	Date 11/13/2003
Residence Shanghai, 200434, PRC	
Citizenship China	
Mailing Address Apt 5018, Lane 399 Rende Road Shanghai 200434 PRC	

Full name of fourth inventor, if any Ni CHENG	
Fourth inventor's signature 	Date Nov. 10, 2003
Residence Zhengjiang, China	
Citizenship China	
Mailing Address 4501, Jingzhe Rd. Zhengjiang Jiangsu Province 212001 PRC	

Attorney Docket No.: 524022000100

Full name of fifth inventor, if any Ming-Wei WANG	
Fifth inventor's signature 	Date 11/13/2003
Residence San Diego, California	
Citizenship US	
Mailing Address 7345 Celata Lane San Diego, California 92129-4552	